THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.25665 of 2007

Between:

R.Thirumal Rao.

.. PETITIONER

and

The Government of Andhra Pradesh.

.. RESPONDENT

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THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.25665 of 2007

ORDER:

It is the case of the petitioner that originally his grand father namely

one R.Buchi Rao was the owner of the land admeasuring Ac.16-32 gts. in Sy.No.72 situated at Murmoor Village, Ramagundam Mandal, Karimnagar District. The said R.Buchi Rao has got three sons namely one Keshava Rao, Madhava Rao and Venkateshwar Rao. The Keshava Rao has got four sons and the petitioner is one of the sons of the said Keshava Rao. As the entire land admeasuring Ac.16-32 gts. was mutated in the name of one Venkateshwar Rao and title deeds and pattadar pass books were also issued in his favour, the petitioner and others filed representation on 24-08-2007 before the Mandal Revenue Officer, Ramagundam, to cancel the title deeds and pattadar pass books issued in favour of the said Venkateshwar Rao and to issue title deeds and pattadar pass books in favour of the legal heirs of R.Buchi Rao. But, the said representation has not been disposed of so far.

I am of the opinion that the representation filed by the petitioner and others on 24-08-2007 cannot be considered by the Mandal Revenue Officer, as once the pattadar pass books and title deeds have been issued and unless either the Civil Court settles the dispute with regard to the right, title and possession or succession of the whole property or the Appellate Authority decides the matter of legality and validity in granting pattadar pass books and title deeds, it is not open for the Recording Authority to cancel pattadar pass books and title deeds issued in favour of Venkateshwar Rao and to issue pattadar pass books and title deeds in favour of the legal heirs of R.Buchi Rao.

Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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03-12-2007

Prv